

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:14-00114

RONALD BARNETTE

RESPONSE TO DEFENDANT'S MOTION TO TERMINATE PROBATION

Comes now the United States of America, by Meredith George Thomas, Assistant United States Attorney for the Southern District of West Virginia, and files this response to defendant's Motion to Terminate Probation.

In late February 2015, the defendant was sentenced to a three-year term of probation.

After serving a little over half of his probationary term, defendant filed a motion seeking early termination of probation. In support of his motion for early termination, defendant argues that an end to his term of probation will assist him in traveling freely for his business, including overseas travel.

Defendant has failed to allege any circumstances that would warrant early termination. While defendant's compliance with the conditions of probation reflects well upon him, his performance does not justify eliminating almost half of his sentence.

Furthermore, international travel by defendant is not impossible. According to the Probation Office, defendant may travel out of the country if approved by the Court.

There is nothing particularly onerous about the term or conditions of defendant's probation. According to the Probation Office, defendant's probation requirements are limited, and do not require much more than his submitting monthly reports to the Probation Office.

The United States understands that, at times, the Court will terminate probation before a defendant's term is complete.¹ Should the Court determine that course of action is appropriate here, the United States respectfully requests that the Court require the defendant to complete at least two-thirds of his term of probation before terminating his term of probation.

The United States is satisfied that the factual details of this case have been thoroughly developed in this record and in the pre-sentence report and that its arguments in support of sentencing are, likewise, a matter of record.

¹Today, the United States attempted to reach the Probation Officer currently supervising defendant for his stance on early termination, but only was able to reach a former supervisor.

The Court has jurisdiction and discretion to alter or remove the term of probation imposed herein. The United States does not object to the Court exercising that authority and discretion without further argument or evidence.

Respectfully submitted,

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By:

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing "RESPONSE TO DEFENDANT'S MOTION TO TERMINATE PROBATION" has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing this 17th day of October, 2016, to:

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